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SUBJECT: SUDAN: BUILDING BLOCKS FOR DECEMBER 21 DEBATE ON
MBEKI REPORT

REF: USUN 1095

Summary and Action Request

¶1. (SBU) USUN may draw from the points and questions in paragraph three for the December 21 Security Council briefing and debate on the Mbeki Report. The U.S. aims to support the objectives of the Mbeki report, but also point out that some of the Mbeki Report's recommendations may not advance those objectives.

Background

¶2. (SBU) The African Union Peace and Security Council (PSC) mandated an AU High-Level Panel on Darfur, which is chaired by former President of South Africa Thabo Mbeki, to examine issues of accountability, combating impunity, peace and reconciliation in Darfur. The Panel completed its work in early October and presented its report to the PSC in Abuja on October 29. Former President Mbeki is scheduled to present the report to the UN on December 21.

Building Blocks

¶3. (SBU) Begin Points:

-- I would like to begin by thanking President Thabo Mbeki for taking the time to brief us on the African Union High-Level Panel on Darfur's (AUPD) report on the situation in Darfur. We are also honored to have the Chair of the African Union, Jean Ping, and the AU Commissioner for the Peace and Security Council, Ramtane Lamamra, here with us today, as well as Secretary-General Ban Ki-Moon.

-- The presence of these eminent statesmen signals to the world not only the importance that the international community places on resolving issues in Sudan, but more importantly African partnership in reaching peaceful solutions for crises in Africa. We therefore strongly support the idea of African solutions to African problems. We also welcome the acknowledgment in the report that the problems in Sudan are of such magnitude that no single party can solve them alone. We must all work together, and with the stakes this high, we cannot afford to fail.

- A Comprehensive Approach

-- The African Union High-Level Panel on Darfur (AUPD) characterizes the conflict in Darfur as "Sudan's crisis in Darfur" rather than "the Darfur crisis." We agree with this characterization, and we also agree that problems in Sudan must be addressed comprehensively and cannot be considered in isolation from one another. The United States strategy in Sudan is clear on this point.

-- The United States is pursuing three core objectives in Sudan: (1) ending the conflict, gross human rights abuses, war crimes and genocide in Darfur; (2) implementing the Comprehensive Peace Agreement resulting in either a united and peaceful Sudan after 2011, or an orderly path toward two separate and viable states at peace with each other; and (3) ensuring that Sudan does not provide a safe haven for terrorists.

- UNAMID

-- Civilians continue to be casualties of conflict in Sudan, reminding us of how vital UNAMID's presence in Darfur remains. UNAMID has made a difference on the ground, and as I have said before, we know this comes at a high cost. I would like to express on behalf of the United States our deepest condolences to the families of the five Rwandan peacekeepers who were killed on December 4 and 5 in the line of duty while distributing water to internally displaced persons. I would also like to extend condolences to Government of Rwanda. These direct attacks on peacekeepers are reprehensible, and the perpetrators must be brought to justice.

-- We believe that UNAMID must be fully deployed and fully equipped, particularly given the volatility of the situation in Darfur. We support the call for troop contributing countries and other UN Member States to expeditiously provide the balance of forces and assets, including helicopters, which are required for UNAMID's efforts to protect civilians.

-- We also welcome the proposal to strengthen the civilian component of UNAMID's role. Accelerating the training for community police services for IDPs in camps and those returning to their villages of origin would be another step to help promote peace and security in Darfur, and one that we would fully support.

-- UNAMID has played an essential role in ensuring security for humanitarian assistance providers in Sudan. We believe that UNAMID should continue to provide this support, however, we are concerned that if UNAMID is given a greater role with respect to humanitarian assistance operations themselves, this might detract from UNAMID's capacity to carry out its primary responsibility to protect civilians.

- Mediation

-- With respect to the Joint UN/AU Mediation efforts, we continue to strongly support Joint Chief Mediator Djibril Bassole. There can be no military solution to conflict in Darfur. I believe that we all can agree that only a comprehensive political solution can end Darfur's marginalization and provide Darfur with a voice in national political processes. We encourage the African Union to continue supporting this process, and we

reiterate our call to all parties to come to the negotiating table.

- Accountability

-- The United States strongly supports accountability for perpetrators of genocide, war crimes and gross human rights abuses in Sudan. We welcome efforts to strengthen Sudan's national legal system because we recognize that Sudanese institutions will need to play a part in ensuring

accountability for such perpetrators. However, these efforts will take time, and they will not succeed unless they are backed by the political will to bring perpetrators to justice. The Security Council referred the matter to the International Criminal Court and we are monitoring the progress of the related cases. For this reason, the United States does not support deferring ICC action under Article 16 of the Rome Statute, and we continue to insist that the Government of Sudan cooperate fully with the ICC as required by UNSC resolution 1593 (2005).

- Comprehensive Peace Agreement

-- Let me say a few words about implementation of the Comprehensive Peace Agreement, because this is the second critical element in the United States strategy on Sudan. The parties recently reached agreement on legislation that

helps pave the way for holding the January 2011 referenda and undertaking the Popular Consultation process in Blue Nile and Southern Kordofan states. While progress on these

issues is a positive sign, the parties must still reach agreement on the appropriate use of census results in upcoming elections, and amendments to national security legislation. All of us must also continue to push for other issues crucial to full CPA implementation such as demarcation of the North-South border, implementation of the July 2009 Permanent Court of Arbitration decision on Abyei, and further implementation of resource sharing-arrangements.

- Elections

-- Finally, we agree that it is important for Sudanese citizens in Darfur to be able to participate in elections. We believe that elections are an important milestone in the implementation of the Comprehensive Peace

Agreement (CPA). It is essential that there be sufficient

security and safety to permit the voting population to cast their ballots in an environment free of insecurity or

retribution, and we urge all parties to the CPA to take action now to ensure such security exists. It is also essential that civil liberties, including freedom of expression, be respected so that persons can peacefully engage in an exchange of ideas.

- Conclusion

-- The task before us is enormous; the timeline for accomplishing this task is compressed. With less than four months until elections and one year away from the referenda, there is much work to be done. Success will require all of us to work together and to speak with one voice to the parties in Sudan. Let me close by again saying that we are honored to have our partners here with us today. The more we can work together, the greater our chances of success.

-- Thank you, Mr. President.
CLINTON